

A Regular Meeting of the City Council of the City of Hickory was held in the Council Chamber of the Municipal Building on Tuesday, January 19, 2016 at 7:00 p.m., with the following members present:

Brad Lail	Rudy Wright	Hank Guess
Vernon Tarlton	Aldermen	David P. Zagaroli
Danny Seaver		Jill Patton

A quorum was present.

Also present were: City Manager Mick Berry, Assistant City Manager Rodney Miller, Assistant City Manager Andrea Surratt, Deputy City Attorney Arnita Dula, City Attorney John W. Crone, III, Governmental Affairs Manager Yaidee Fox and City Clerk Debbie D. Miller

- I. Mayor Wright called the meeting to order. All Council members were present.
- II. Invocation by Ron Carter-Fish, Unifour Christian Fellowship
- III. Pledge of Allegiance
- IV. Special Presentations
 - A. Update from Friends of Hickory on Downtown Park Project

Ms. Allison Holtzman thanked Council for hearing them and for the entire process that they had been going through over the last couple of years. She advised that the Friends of Hickory was a group that was formed by citizens, who are all volunteers, who 1) love the community, 2) want to invest in the community and 3) they want to inspire and enable others to do so. They started with their first project which was a downtown park. Over the last two years it had been a lot of work and taken a lot more time than expected to do it the right way. What comes out of it is going to be amazing. They had initially introduced this project to Council about two years ago. They had worked extensively with Staff, meeting with them frequently over the two years. They have also worked with the Parks and Recreation Department and other departments in the City. She advised that they had asked Council and these groups for support and guidance the whole time. They had raised 87 percent of the funds, approximately \$600,000. They hope to begin in April. They had a contract agreement that had been signed with the City which would be presented to Council. They had Neill Construction and Looper Construction donating services and offering services at cost. They had garnered some community support and awareness through an initial "Friend Raiser" to tell the community at-large what they want to do, and how they want to support the City from a positive approach. They also had a good relationship in work under the physical sponsor Partners for Parks. Partners for Parks is a group out of Charlotte that formed in 1996. They had been a tremendous support for them. Their vision is to promote public spaces and greenspaces in Charlotte and the surrounding region. She advised that they had been incredibly helpful to them. She showed a vase, and advised that they are garnering support in Hickory, and they are also raising support and awareness of what is going on in Hickory in the region at large. Partners for Parks had managed over one hundred funds and currently does. They had worked with groups raising money for Little Sugar Parkway and Romare Bearden Park. At their annual award dinner Friends of Hickory received the non-profit award for making an impact on the community. She shared a story from that event. A couple had talked to her who had heard about what was going on in Hickory. They asked her if they should come to spend a weekend in Hickory. She advised them that of course they should, but if they do they should contact her and she would direct them and give them some ideas. She told them if they come in 3-5 years that they were going to be amazed. It is going to be a place to come. When people start coming to visit for a weekend, they come and spend money in shops and restaurants. They come back, they tell others to come, and they find a way to live here, work here, and visit here. What is happening in Hickory and the positive steps that are being made to do something positive to grow our community is incredible, and they are grateful to be a part of it.

Ms. Holtzman presented a PowerPoint presentation and discussed the location. The location had been picked because it was central, at the heart of the City. This is a place that is accessible to many citizens in the City by foot and it is also something that is not just in one neighborhood. It is not just a neighborhood park where you only play with your neighbors. This will be a park for different communities to come together and form relationships. It will not be segregated by communities play, it will be a place that is central and a place of meeting. They wanted it to be accessible to City amenities, which it is and is why they put it down there. They also wanted to bring more life downtown. Also what had helped pick this place was two years ago, before the bond was passed, they saw designs and they picked a spot on the upcoming city Walk. This will be the first thing turning dirt along the city walk. It is going to be the first thing that we see happening. It is going to bring excitement to the entire process that is going on. She asked for Council's continued support. She commented that this had been a very good process for them because they had developed relationships working with City Staff and Council. They felt like they had allies. If they had a question or had something come up, they could come in and talk to someone about it, or someone could give them guidance on where to go. She commented to Council and Staff that this is a great goal and that this should actually be the

experience of each new venture that shares a vision for this City that they all do. They feel like they have someone that is an ally. Someone that they can ask questions to. They will have a Council and Staff that will help them overcome obstacles. She said that positively because they had that experience. With the city walk and the Riverwalk and everything that is happening there it is going to be a lot of interested parties and investments. That is what we all hope that businesses come, that restaurants and development comes because they see what is going on. Having an ally in the City and feeling like you have an ally that you can come talk to, we should be ready for that to help that process be as positive as the experience that they had. This is our chance to be known as a City that welcomes progress and new ideas and investment and we need to be ready for that and make it as easy as possible for someone to start something here. There are concerns and hurdles that are real, but we need to give them that relationship. Friends of Hickory wants to be part of this growth and progress and remind people who live here and people outside of Hickory that this is a great place to live, work, and visit. She advised that they would go through the slides and update Council on what is going on and there would be more on some of the details of the agreement later in the meeting.

Mr. Adrian Holtzman advised that he was part of the board and that he was supporting Allison who was Chair and engine of the whole thing. He discussed the PowerPoint. He advised that this project is entirely funded from grants and donations from organizations and individuals. He showed a photo of the area which was on the corner on the west side of Union Square, near Community One Bank. He noted the parking lots and alleyway in which the park would be located. He showed the naming opportunities. One thing was still available which was to name the entire park. Most of the sponsorship areas had already been taken by different organizations. One that was still available was mosaic benches. They are also taking donations which would get your name on the wall and smaller donations in the form of bricks. They would like for organizations, businesses and individuals to become involved because this is a Hickory project. This is a private organization. This is for the people of Hickory. An open place for everyone in Hickory to use. It is a symbol of a public/private partnership. Hopefully to be an iconic symbol for Hickory. He pointed out the entrance way and some of the bricks. These bricks will be laser engraved bricks in which you could place your name, family, business, pet or whatever you want to put on them. He showed the mosaic benches which are being done by a very talented artist. These areas can be customized with a name or a story on them that you would like to display to others. He pointed out the donor wall. They are considering making it a moveable piece. The other pieces are from a Danish company called Kompan. Which is a very well-known company for their safety and durability. These use unrestricted play so there is multiple ways to get on and off of the structures as you climb. Three sides of the park will be fenced in. He showed a schematic of the Catawba River, and pointed out some of the design areas that would represent the geographical areas on the river. There are learning opportunities in here as well. Some other areas will have spinners. He showed post that they had discussed, but they may not be doing those. They will have embankment slides in other areas for different age groups. A toddler area, a bigger area to play and other places for grown-up people to sit and eat their lunch, and watch their children in safety. He showed signs that would help talk about some of the history of Hickory. He pointed out that it would contain a map of the river. He gave an example of Mud Island in Memphis, which had a dugout of concrete which showed the geographical region of Memphis and the river and how it interacts with Memphis. They are doing something similar to show the importance of the Catawba River system to Hickory. It is all ADA compliant. It is wheelchair accessible. It will be for anybody old, young, mobile, non-mobile and unrestricted play, and areas to sit, gather, and watch. He advised that there were was going to be some artwork donated. Kim Ellington is donating a pot that he is making and it will be located in the central part of the park.

Ms. Holtzman advised that there was an area left open intentionally for walkers and pedestrians. There is going to be several picnic tables and eating areas. They want this to be a place to visit and not just a playground that kids go to. As you are working and living downtown it is a pleasant place to sit, see the art, see the play and be part of the environment.

Mayor Wright asked when there would be ground broken.

Mr. Holtzman advised they were looking at April for ground breaking. They recently received their liability insurance, and all the parts had been ordered and were in storage. They hope to have a brick campaign so people can get involved and buy bricks as they begin to lay down the ground.

Mayor Wright asked how much of the funds, raised so far were private non-governmental funds.

Ms. Holtzman advised 100 percent.

Mayor Wright commented that they had talked about a private/partnership here, and he wanted people to understand that did not include the funding.

Mr. Holtzman clarified that the public/private partnership meant that the City has been extremely supportive because they recognize what this can do in terms of economic development for downtown. This is entirely a private initiative, it is not part of the Bond Commission or the larger plan to redo parts of Hickory. Once the park is completed with all the private money and grant money, the maintenance will be taken over by the City for upkeep. That is the extent of the City's involvement.

Council members thanked them for all of their hard work.

V. Persons Requesting to Be Heard

Mayor Wright advised the citizens of the suggested three minute time limit but didn't want citizens to leave the meeting that had something to say and didn't get to say it. He advised that Council was lenient, but if they are too long winded they may say that is enough. He instructed that there be no cheering and jeering. The people who will be speaking have the best interest of the tenants of public housing at heart. He commented that was Council's first and foremost interest in this whole matter.

- A. Ms. Jo Beth Levine, 300 17th Street SW, Apartment 10, advised Council that she was representing the seniors and the disabled of West Hickory Senior Citizens a property of Hickory Housing Authority. She enjoys living there and loves her apartment. In her opinion when money gets misappropriated repairs and upgrades do not happen. Their residents do not have central air and heat that the other units and properties have, maybe half do. They don't have the new windows, or new commodes. It is a shame that the seniors and disabled are the ones that had to suffer for this. They also have maintenance issues. Large trees and large limbs have fallen on their apartments, some from the other side of the fence, but they need to be cut back with money before there is damage done or somebody hurt. In her opinion there had been an underground leak that had been going on for 4-5 years. They have also had a sink hole that had opened 4 or 5 times. In her opinion it is not repaired correctly. The residents of west Hickory are afraid to speak up because they don't have the money to move and change a location easily due to health or other problems. She mentioned that there was a paper sent out to them, for example if the commode was stopped up there would be a charge for \$34 an hour to start with. She didn't know people out where she lived that could afford that. She commented that she met Alanda for the first time when she moved into the apartment and it was not painted. Someone had been a heavy smoker, and Alanda got it painted for her the first week or two that she was there. She thanked Council for their time.
- B. Mr. Larry Pope addressed Council and advised that he had handed out, outside of Council Chambers, two letters that were sent out by Hickory Public Housing Authority trying to say to the tenants, and to citizens, and the community that we want to keep in place the Executive Director Alanda Richardson and the Board of Directors. They wanted their support in doing this. They encouraged on one of the letters the residents to call Al Sharpton and Jesse Jackson and ask for their help in keeping the Executive Director and the Board in place. He said let Al Sharpton or Jesse Jackson come to Hickory. He would be the first person that says to the two of them that they need to look at the number of times since 2011 that Hickory Public Housing Authority had been found misappropriating Federal dollars that take away from what they are supposed to be doing for the residents who live there. The residents who live there are intimidated by the Executive Director and the Board. They are afraid to come forth and say to Council how wrong things are going on at Hickory Public Housing Authority. Maintenance is not being done. If it is done it is done after the eight day turn around period that it is supposed to be done in and what they do is have staff falsify the records that have been sent into Greensboro and Washington DC. That has been the only way that they have been able to maintain a high rating. It is not because the work is done, but it is because it has been falsified. He said that the agency that Council has considered to take over for Hickory Public Housing Authority and manage Hickory Public Housing Authority, is an outstanding well-balanced agency that will do what HUD requires them to do. He commented that it is time to clean house. If Council can't do it at this point, then once things are settled, no matter what is standing in the way, the day after that, he would say clean house from the Board to the Executive Director. Let the folks know who live in Hickory Public Housing Authority that they will not be put out as they have been told they would be put out. The apartments will not be torn down and they will have a place to live. Because he knows that City government, City Council and the Mayor want to support the folks who live in public housing. He thanked Council.
- C. Mr. Tim Richardson addressed City Council. He had questions that had been unanswered. He wanted to find out the reason why the Hickory Housing Authority was up for being dismantled. He stated that the fact is there is no documentation of a required merger from HUD. He advised that there were two letters from HUD dated, April 1st, one regarding approval of 22 units, the other having approval of another 89 units, which is a total of 311 units for the RAD assistance program, which is the Rental Assistance Demonstration conversion. Once the conversion is completed the City of Hickory Housing Authority will be a private entity. He commented fact, the Hickory Housing Authority has received

outstanding high performance marks for the past 10 years, excluding 2014 in which it received an average. Fact, the Hickory Housing Authority is not party to any criminal or civil action. Fact, he met with Mayor Wright and he was told it was not an issue with Ms. Richardson's performance. That is a fact, seven other people were in attendance. Fact, the unrestricted cash position of the COG is \$70,000. Fact the unrestricted cash position of Hickory Housing Authority is \$2.1 million. Fact, what synergies will be accomplished by this proposed merger. Has there been a feasibility study completed. At the time that he asked those questions they still remained unanswered. He commented at this point in time if anyone could please enlighten him with any synergies that have come about. He asked if anyone could answer, any questions.

Mayor Wright advised that Council was not supposed to do that, there would be a lengthy discussion of it, and they would be talking about the things that he raised as questions.

Mr. Richardson continued that in the lengthy discussion he would like some other questions to be answered. Other alternatives 1) creating a Section 8 entity. This entity is the alternative, two authorities would create a new corporate entity to administer the Section 8 program for both housing authorities. He asked if that had been proposed. 2) Merger of the two authorities. In this alternative the present system of the two independent housing authorities would be retained but would seek merger, consolidation and synergies for the operation of both entities. 3) How would these stakeholders be involved? Has a feasibility study been done on that? Will it increase wait times? Information system technology. What about the computer systems? Step by step, by step, by step, different synergies that duplication of workers staff. What is going to happen to the staff? He asked why all of a sudden now. What is the big push for now? Hickory Housing Authority has been in existence for a while. But now all of a sudden there is a big push. He asked if it had anything to do with the \$2.1 million dollars that is unrestricted cash bases that the Hickory Housing Authority has versus the \$70,000. When you have instances like this, follow the money trail. Is it a money issue? He has not been told what the benefit of this is.

- D. Mr. Melvin Kimble was not present to speak.
- E. Mr. Bob Fuller was not present to speak.
- F. Dr. Sidney Myles read a statement from the Board. He thanked the Mayor, City Council members and the City Manager. When they accepted appointments by Mayor Wright and took their oaths to serve as Commissioners for the City of Hickory Housing Authority, they committed to fulfill a mission to Public Housing Authority to provide affordable housing along with the resources and support systems designed to facilitate self-sufficiency and increase economic independence within the community. They are devoted to serving the needs of the residents through the programs provided by the Housing Authority. They own and manage 311 units of low income housing, 46 units of private based elderly housing. They also administer 449 Section 8 housing choice vouchers. They provide programs for residents for homeownership and self-sufficiency among others. Although the Public Housing Authority was created under State law by Resolution of the City Council of the City of Hickory in 1966, based upon the need for descent, safe, and sanitary housing for the citizens of Hickory. It is important to know that the Public Housing Authority has operated for decades without minimal to no financial support from the City of Hickory. That is by design, not by the City. The Housing Authority relies on State and Federal funds as well as income generated from its operation. The primary source of funding for their public housing units is rent subsidies contract with HUD referred to as an ACC or Annual Contribution Contract. They are in the midst of a conversion to project based rental assistance under HUD's Rental Assistant Demonstration program. Most of their public housing units are in need of major rehabilitation and redevelopment. HUD continues to reduce the Housing Authority's annual funding. The Housing Authority does not have sufficient funds to make all of the necessary capital improvements. RAD provides the opportunity for the Public Housing Authority to leverage its assets, primary real estate through mortgage loan proceeds or private equity contribution, which could help provide the funds necessary to modernize their properties and consequently better serve the needs of the residents. In 2015 a competitive selection process HUD granted out applications to convert potentially all of the 311 public housing units under the first component of RAD to long term rental assisted contracts. Currently they are in the process of completing each milestone in the RAD conversion process and hope to have a financial closing later this year. In conjunction with their RAD conversion the Housing Authority has actively pursued the acquisition of property for site development where they can build new housing units to replace some of their existing units and perhaps deconcentrate public housing in Hickory by providing housing options at multiple locations throughout the City. Many false allegations have been made, several misconceptions exist about the City of Hickory Public Housing Authority and they wanted to make sure that Council was aware of that. The City of Hickory Public Housing Authority is currently designated by HUD as a high performing agency under HUD's public housing assessment system. A RAD conversion from the public housing to project based Section 8 housing assisted contract is not the same as tenant based Section 8 vouchers. Post conversions HUD will contract with the Housing Authority's non-profit entity Unifour Capital Ventures. The rental assistance provided under

RAD is not a tenant based voucher and does not have the portability. RAD is tied to the units not the tenants. Choice mobility is available after two years of tenancy subject to certain limitations. Their legal counsel has advised them that by State law, the City Council can abolish the Public Housing Authority and undertake its role or designate it to an existing Redevelopment Commission to assume the Housing Authority's role. Their counsel had encouraged them to work with the City to find viable solutions which hopefully can assist them as they move to the future. He commented that it was good that they sat down last Friday, which they felt probably should have been done earlier because there is a lot of misconceptions. He thanked Council for allowing him to speak.

- G. Dr. Michael Wimberly advised Council he had been here 17-18 years and he felt the need to say something. Every time something comes up about the Housing Authority they mention his name specifically. The 4th Street group did the same thing, they mentioned his name. Where he is from if you spend 15-20 years trying to do something to help somebody you call that retirement and you get an award. But in Hickory it seems that because he had sacrificed his time to help people in some kind of way that it is a problem. He wanted the people to know the truth about certain things. He got here to help people, he is on the Board to help people. There is a misconception that somehow what is happening is going to help the people that is involved. He saw a lady walk out the door, and she said something was going to be put in the place where she lives right now. What they are trying to do is help people. The Public Housing facility looks like public housing but it didn't look like that 17 years ago. It looked worse than that 17 years ago. They didn't have air-conditioners, they got air-conditioners. They didn't have panels before, they got pillars before. It is clean. It is safe. You can go through there now. He goes through there now, and sits down and talks to people. He helps people. He had spoken with his brother and he said he was here and he didn't live over there or in this part of the City. He didn't know if any of the Council members lived in that area or not. He asked his brother why he was sacrificing his time, losing money in his office, every time he goes on one of these fabulous trips that they say they take. He loses money every time. When he doesn't use the money he turns it back in. He confirmed that with Alanda Richardson. Somehow helping people has got to be difficult. He is from Alabama, and what it looks like to him, in his opinion, if you have one group of people who looks like him; when he was born his dad was a negro, when he had his son he was black, so right now he guessed he was African-American. Whatever it is that looks like him. When you have a group of people that have a majority of this and a one year pin on the Board that has two point some million dollars. There is another group that looks European, and a group that is in charge of it, that is European, and you are trying to put it in charge of another European group and take it away from this group. It looks like something he has seen before. That is what it looks like to him. Money travels. He commented the truth is the truth. He asked them to ride down the road, look to the right and look to the left. To the right all this is going on, to the left nothing is happening. But now there is a fight for the left. But it is a fight to take away the control from that group and give it to that group. You call it what it is. Everybody is his people. It just looks like that to him.
- H. Ms. Lorene Haggins asked why this is happening. How is this happening? And is it going to happen? If people black, white, etc., could afford paying for their lights, water, gas hookup and the bill that follows they would not be here. So there would not be a Housing Authority. They are in public housing for different reasons. Elderly, disabled, some diverse background. It is not by choice, but by the circumstances that they are in. She thanked Council.
- I. Ms. Vicki Scott commented that Alanda Richardson had been with Hickory Housing Authority for 18 years. She undoubtedly did something right. Something right. She listened two weeks ago when she was here to all of this negative talk about her. These people that got up and talked about her, it makes no kind of sense as to what was going on two weeks ago. She is a product of public housing. It makes no kind of sense how you are going to sit back and take away these people's homes, their livelihood. She was here a couple of months ago and made a statement. She was not going back there. She wanted to know that 17 years she undoubtedly did something right. She thanked Council.
- J. Mr. Matt Fallaw, 1727 31st Avenue NE, advised Council that there was something that went out Friday, it was not sanctioned by their Board and it did not come from the Public Housing Authority. He would start a rumor that somebody else may have printed it up and circulated it just to start trouble, but they try to stay away from that. He was appointed to the Hickory Housing Authority Board back in August. The Mayor had told him that there was a lot of things going on. He was fairly new to the Board and had done a lot of listening over the last four months, a lot of reading, and he had learned a lot. He had learned a lot from the current Board members that are on there and have served for a long time. A lot from Council with what is going on. He commented that he didn't have a chance to sit in the frying pan, he was cast into the fire. He had heard a lot of nitpicking about Hickory Housing Authority. Most of it a lot of nonsense. Most of the naysayers are misinformed, not educated in the current happenings of what is going on with the Hickory Housing Authority. He listened at the last Council meeting as a couple of folks spoke, and basically

shared their side of the story and really not the facts. HUD came in October, yes they did. They completed their audit but the findings were really minimal. Their recommendations not once was disbanding their Board mentioned. The Board has addressed and will continue to address the issues that HUD pointed out as the areas that needed to be improved. The Board is currently working on changing several things that will address any personnel matters and also their Board. They have looked at themselves and they need some changes on their Board. They do not want to get in the way of what will help the people that they serve. That is the bottom line of what all these guys are here doing. They serve in positions that nobody else really wants to serve in. It is a tough job. Much like Council's jobs. What this boils down to is taking a little bit of heat in the paper. The Hickory Daily Record, the Charlotte Observer, taking exactly what somebody sent in, old news and sensationalizing it. Just to raise issues and trying to get something going. Is it a perfect organization? No, it is not perfect. He hasn't seen one that is yet. Regionalizing Hickory Housing Authority under another organization may seem like a good idea. You may even realize some efficiency here and there. And in some businesses that makes sense. In this business, which is really the low income people business, he didn't think that it made a lot of sense. He didn't think that anybody would take care of Hickory's own like they will. He found in his industry, which is banking, when things start getting regionalized and they get bigger Hickory loses out resources and they lose out on the personalization. Bottom line we just have people that we need to serve. Housing is a very complex subject and they have a group that is dedicated to its delivery, continuance and survival. Why start over? What has this Board or the Hickory Housing Authority done that is so bad or harmful that they need to disband or merge with somebody else. HUD did not ask for them to resign or disband. They asked for corrective action. He asked Council to continue with conversations so they could put their corrective action into place. Stand behind the people that they appointed and don't bow to a few people that love just to stir up issues, former disgruntled employees, and news articles that no one will remember in a week or two.

- K. Ms. Jessica Stinson, commented that it seems like Larry Pope has a lot of hostility against Alanda Richardson. For what reason, only he knows. She said did Larry Pope see with his own two eyes of any money being pocketed or being misused. It is obvious that Larry Pope wants to be in Council's position. He wants to have some type of authority. Alanda Richardson is a good woman and she does not intimidate her tenants. She said that the only people who are intimidated are the people who do not want to follow the rules. She wished that Larry Pope would be a man and discuss his real reason behind all of this instead of just sitting up here telling Council lies.

Mr. Larry Pope responded that he had not told one lie. In 2011 HUD came in and found that the allegations were founded.

Mayor Wright advised Mr. Pope that he had his chance.

Mr. Pope commented but when someone outright calls you a liar then he thinks that you have a right to say that it is not true, if they can prove it, prove it.

Mayor Wright advised Mr. Pope that he was not supposed to say it but he had said it.

- L. Ms. Alice Witherspoon she was on the committees that helped bring public housing into Hickory. They experienced a lot of problems. Ms. Witherspoon commented that a Reverend at Bethany Lutheran Church was the person that really brought public housing to Hickory. They experienced crosses being burned, threats, and a lot of things that helped make public housing. They lived in terrible circumstances prior to public housing. She remembered that the City told landlords that they had to put bathrooms in the houses. They would put them in there, but there was no flushing. You would have to create everything in order to have a bathroom. They did not have heat. If you didn't pay by the time you got home the day to pay, the rent man was sitting there waiting on you to evict you. She is a product of Hickory. She watched some of the board members grow-up. Living in Hickory wasn't easy and it is still not easy. She stated what she had to say might be contradictory to some things that she had heard. She first met Alanda Richardson when she came to Hickory. She called her and talked to her about an incident of some things that she had found out that was going on. She talked to her about it, and she said that she would take care of it. She wasn't sure if she did or not. She advised that she owns a cleaning service, and they do construction cleaning. She was a single mother. She was married but she had two children that she raised by herself. So she had to work and work hard, and she still does. She was asked by Alanda to come and finish a contract out in 2008. The company in which she had had stopped coming. She did everything that they were to do. Her son-in-law was the person in charge. He is on dialysis three days a week. After he would get off he would come straight to work and he would work sometimes all night long. Alanda dismissed Lewis Sanders, which was the person who was taking care of maintenance. They were only to do cleaning, and painting the apartments. But after Alanda dismissed Mr. Sanders, she started putting his work orders on them. They did not, and have not gotten paid for any of it at all. She had brought it to the Mayor, and the City Manager, and she had not gotten any result. The one thing that

bothered her so bad was that her son-in-law worked all night long every night. He would leave and come back. Alanda decided that she wanted to come and inspect the apartments before she paid them on Friday. Ms. Witherspoon asked her why because she had already placed three families in the 12 apartments that they had cleaned. Alanda told her that she would be back. She came by where they were at in Bedrock, and the guys were waiting because they wanted to get paid. These were men who had children that they had to take care of. They had to buy food for and pay bills for. Alanda passed by and Ms. Witherspoon stood there and waved. Alanda was driving her white Mercedes. The guys that were standing there waved. Ms. Witherspoon said that Alanda passed them, so she ran out the door and hollered. She was in one of the apartments. Alanda sped up as they ran behind her and chased her. She had her head out of the window and laughed at them. And every time they would catch her she would speed up. Ms. Witherspoon told them to stop because she realized that Alanda was playing cat and mouse. She had not been able to talk to Alanda since then. She had taken information to the Board, the City Manager, and the Mayor. They have not gotten paid and it is something that needs to be done.

- M. Ms. Alanda Richardson advised Council since she was the woman at the center of the attention of all of this that it was time that she be heard. Mr. Pope has had a personal vendetta against her for several years, ever since his brother lost the cleaning contract. HUD did come in 2011-2012 and there were mismanagement issues. Mr. Pope stated that they came back in 2013 and found more misappropriations. That was not true. He even indicated that in October that there was \$200,000 misappropriated. That was not true. Regarding the Alice Witherspoon contract, which she failed to mention was that she even took the contract to HUD. HUD ordered them to pay the employees personally, because they had paid Ms. Witherspoon and she had not paid her employees. The Housing Authority Board received a copy of the email from the Labor Department in Atlanta from HUD ordering them to pay \$78,000 to her employees out of the Housing Authority's funds who had not been paid by her. She had a meeting with HUD Greensboro. HUD Greensboro called Ms. Richardson and told her back in 2010 as far as they determined the issue was resolved because they had paid the employees. In affect they paid double for work that she did but did not pay her employees. It is a matter of record.

Ms. Witherspoon responded in the audience to Ms. Richardson.

Ms. Richardson continued, it is a matter of record, anyone is welcome to come to their office anytime, any day, and they will pull out the entire file. You can call the HUD office as well. Yes they have issues as an agency, a lot of agencies do. But it seems like in Hickory there is this either rule or ruin mentality. If I can't have it my way then I will destroy you at whatever cost. They are paying the price publically. She has paid the price personally, but is time that the whole truth be told because it has not been told. She is tired of the slanderous, liable allegations that are being made. It is about time that people are held accountable for them. If you can prove it, prove it. If you can't then you need to quiet yourself before legal action is taken against you. She thanked Council.

Mayor Wright informed Ms. Witherspoon that she had her opportunity.

Ms. Witherspoon asked the Mayor to say one thing.

Mayor Wright told her no.

Ms. Witherspoon stated that Hickory Public Housing is no more than a concentration camp in modern day times.

Mayor Wright advised that he didn't want anyone leaving saying that they had something important to say, that hadn't been said. He asked that the speakers not be interrupted because for example Ms. Richardson had sat back there and she did not interrupt anybody else regardless of what they were saying. He asked for everyone to give each other that courtesy.

- N. Nancy Rivera advised Council that she was a resident of Hickory Housing. She had been in public housing for four years now. She came in as a problem with a flood issue, and they welcomed her with open arms. Anything that she needed they helped her with. This issue deeply effects many of the residents here. She had knocked on every door and asked them. They came up with 168 signatures that said they wanted the Hickory Housing to stay. Many people could not get out of their beds, wheelchairs, canes, and they ask her to come in. She attended a luncheon and they asked many folks if they were in to sponsor a move to the upgraded areas. There was a feeling of joy all over. To go from that to what is happening now has been a state that you wouldn't believe. She too feels it shouldn't be happening. From overwhelming joy to it is a feeling of no hope again.
- O. Alequia Blasingame advised that she was one of the residents that live in Hickory Public Housing. She came from another State and had been here for a while. If it wasn't for Hickory Public Housing giving her and her children a place to stay she didn't know what

she would have been able to do. She came from a horrible relationship and was almost killed. They gave her an opportunity to have a place to stay for herself and her children so they would not be out on the streets. She asked City Council to not get rid of the Housing Authority. It seems like it is great for Hickory Public Housing to be around. She did not know what other people's uses were, but it had been a wonderful place for her. She had the opportunity to start back going to school. She had an opportunity to get a job. She is growing and progressing in her life for once she has some stability and it is all because they allowed her to have a place to stay, a place to live. She asked Council to not get rid of it.

- P. Dr. Glenn Pinckney commented that it is really, really important that the residents become fully aware that their livelihood, their home, their apartments, are not in jeopardy at all in any of this conversation. The things that Council are looking to do has nothing in any way jeopardizing the homes or the apartments of the residents of the City's Hickory Public Housing Authority. He thought that should be clear and all of these rumors that are being spread and perpetuated are creating an atmosphere of terrorism for the residents because they don't have another option. For people, human beings, he wouldn't even bother to say Christians, to allow such a rumor to be perpetuated to these people that are really the vast majority of them doing the best that they can. To have them in fear of losing their residence. To have them in fear of their rent being increased exponentially. To have them in fear of having to pay their utility bills. Have them in fear that white people are trying to put them out of their homes. He commented that is so ridiculous and so unfair, and so unwise. He did not intend to speak. He advised that he had a five page letter dated June 16, 2014 which he sent to the Board of Commissioners when he resigned from the Hickory Public Housing Authority and the reasons for his resignation, he was not terminated by Alanda. He resigned. He resigned because he, as a Christian, could not in good faith continued to be employed in that environment wherein the Board nor Alanda exhibited genuine concerns for residents living in Hickory Public Housing Authority. Most everyone was aware that he actually developed a training program and he had 10 people that graduated from that program. The transformation in those people, even some of the long term staff of Hickory Pubic Housing did not recognize some of these people because of the transformation that had occurred in their lives. Because they want to do better, they want more. They want out of Hickory Public Housing. But for a lot of those people that wanted to be able to further their education. They had a van parked right outside at the ROSS center where his office was that he could very easily take residents to CVCC to take certificate courses. That was not allowed by Alanda. The ROSS program that he managed was designed for self-sufficiency. How do you help people to become self-sufficient if you want even allow them to get a GED? If you want even allow them to take a certificate course that cost much less than the basketball camp that you wanted to pay for. He commented that he hoped Council did not buy into the white black conversation that is continuing to be perpetuated even by Board members. Those of them that sent a letter to HUD were black and white. It wasn't the white former employees that wrote that letter to HUD. It wasn't just the black. It was them who saw the degradations, saw the injustices. How in the world do you have an agency that small and have a track record of over 70 employees in such a short period of time? Does that not speak to management abilities and skills? How do you have people that live there that are afraid to talk to people about the needs and concerns that they have for their property, for their homes, for their windows, their doors, their heating and air? Because if I say something Alanda is going to put me out. He stated that he was telling them what people told him. He was not telling them what he had heard. He begged Council to not allow the venomous conversation of black and white taint their decision. The residents at this time need them more than they can imagine. He knew that Council was not at all concerned about putting anybody out of their apartments. He wished that somebody would put that anonymous letter out.

Alderman Tarlton requested Mr. Pinckney give him a copy of the letter.

Mr. Pinckney advised that he would get one to him.

- Q. Ms. Tina Russell advised that Hickory Housing had helped her. She moved here from another State. It had helped her to grow. She had been ill for the past year. If it wasn't for Hickory Housing going out of their way to accommodate her, and her apartment, outside her apartment, other apartments that she visits. They had made it easy for her to get in and out of. She wasn't able to walk. They made ramps for her to get into apartments. Now she is able to walk. They made railing. She thanked Hickory Housing and all of their staff. She hoped that they keep it going because people on special incomes it really helps. She thanked Council.
- R. Mr. David Crosby addressed Council regarding the Friends of Hickory. He congratulated them on the fantastic job. He supported that 100 percent. He asked the question about the bathrooms. Knowing that kids will be going to the bathroom. He knows that they love Hickory, he loves Hickory. They need to think about the bathrooms. The hours are going to change that is going to be given back to the City of Hickory so the park and the restrooms now close and open at a certain time. Things will have to be addressed. He knows that Council will look at that. They need to keep that in the back of their mind

because this issue will not go away. This is what he was concerned about for the children. They are going to be crossing a road to get to the restrooms. They are not the nicest places to be going to the restroom. A mother is dragging a kid, "I got to go to the bathroom, I got to go to the bathroom", a 100 yards or more and they are going to go into a place that is not very nice. He asked Council for taking care of that and thanked them.

Mayor Wright asked Staff and the Friends of Hickory to incorporate that into the discussions of the agreement. He would like to see the bathrooms open more hours anyway, but he knows that cost money.

- S. Ms. Deborah Jordan advised Council that she come from a place where she knows poverty. She saw it, homelessness. Ladies with eight and nine children, have nowhere to go. If it wasn't for the Housing Authority helping her at the age of 59 to go back to school. She doesn't own a vehicle, but they made sure that she got to school. They made sure that she got picked up in the evenings. She just recently came from Detroit and she tried to get that to happen. They asked her if she had cab fare. So now she is no longer in school because she couldn't get back and forth when she was in Detroit. When she was here two ladies from Hickory Public Housing made sure that she got back and forth to school. She is going to go back because it is a goal that she is trying to accomplish. She is not too old. At 59 her bones might be a little sore, but she can still do some things that young people can do. The Hickory Housing Authority has helped her when she was behind on the rent. They don't come and knock on her door and tell her you got two hours to be out of here. They work with her. They had cut her rent, since she doesn't have a job, because people are looking for younger people to do their jobs now, they think that older people can't do. She may not lift 50 pounds anymore but don't let this fool you. She can do a lot. Her rent is \$50. She told them that in Detroit and they looked at her like she was crazy. They asked her if she was serious. Because she didn't have a job, she lost her job when her back went out. No other apartment in the area is going to do that for you, not that she has found. She was not from Hickory, she was from Beckley, West Virginia. She moved down here in 2000. She commented that she can go out her door right now and walk around the apartment complex. She feels safe because the Police comes through there. She sees them from where she lays. She sees every time the Police come down there patrolling. People may not see it, but she sees it. If they take that away from someone like her that is getting ready to get there, she doesn't feel elderly, but getting ready to get there it is a sad thing. She thanked Council for listening to her.

Mayor Wright thanked everyone for letting them have a conversation about things that everyone had a committed interest in. There was a variety of reasons for the interest. They didn't follow all the rules, but they were very civil and let each other speak. It made him proud to live in Hickory and have the opportunity to sit on Council.

VI. Approval of Minutes

A. Regular Meeting of January 5, 2016

Alderman Zagaroli moved, seconded by Alderwoman Patton that the Minutes of January 5, 2016 be approved. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Zagaroli seconded by Alderwoman Patton and the motion carried unanimously.

VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

Alderwoman Patton moved, seconded by Alderman Seaver that the following be reaffirmed and ratified on second reading. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderwoman Patton seconded by Alderman Seaver and the motion carried unanimously.

- A. Approval of the 2015 Loan Agreement with the National Museum of the United States Air Force. (First Reading Vote: Unanimous)
- B. Approval of an Offer to Purchase of Two Properties Located Near the Intersection of 2nd Street NE and Falling Creek Road, PIN 3714-06-38-1685 and PIN 3714-06-38-2817. (First Reading Vote: Unanimous)
- C. Approval of a Community Appearance Grant for Non-residential Property Owned by the PWG Investments, LP Located at 1022 Main Avenue NW in the amount of \$987.50. (First Reading Vote: Unanimous)
- D. Budget Ordinance Amendment Number 14. (First Reading Vote: Unanimous)

- E. Consideration of Rezoning Petition 15-02 for Property Located at 3061 Short Road (First Reading Vote: Unanimous)

VIII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.

Alderman Lail moved, seconded by Alderman Zagaroli approval of the Consent Agenda. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Lail seconded by Alderman Zagaroli and the motion carried unanimously.

- A. Approved the Issuance of a Pyrotechnic Display Permit to Hickory Crawdads.

Mark Seaman, General Manager of the Hickory Crawdads has submitted a request to obtain permission to have a public fireworks display on the following dates: April 15, 2016; May 27, 2016; June 17, 2016; July 1, 2016; July 3, 2016; July 4, 2016; July 15, 2016; July 29, 2016; August 12, 2016; August 26, 2016; September 2, 2016; with the following rain dates: April 16, 2016; May 28, 2016; June 18, 2016; July 2, 2016; July 5, 2016; July 8, 2016; July 9, 2016; July 16, 2016; July 30, 2016; August 13, 2016; August 27, 2016 and September 3, 2016.

The North Carolina Fire Code requires a mandatory operational permit for the use and handling of pyrotechnic special effects material. The Division of Fire & Life Safety Bureau shall review all required documentation. The Fire & Life Safety Division will also inspect the pyrotechnics display area prior to the event to ensure compliance with all guidelines and codes. Staff recommends approval of the pyrotechnics displays.

- B. Approved on First Reading the Contract with Wilkie Construction in the Amount of \$290,800 to Construct Phase II of the Planned Improvements to Hickory Optimist Park.

Community Development Block Grant (CDBG) funds were used to complete extensive improvements at Hickory Optimist Park this year. Phase I of the project involved construction of drainage improvements, a walking trail with connection to The Glen at Green Park subdivision, and installation of an outdoor gym. Phase II of the project will involve demolition of an existing storage building. A new pre-engineered community building with restrooms will be constructed. A future contract will also convert the existing tennis court into four pickle ball courts. Staff advertised for competitive bids on the construction project. The low bidder on the project was Wilkie Construction with a bid of \$290,800 for the building construction. (See Consent Agenda E.1) This project will be funded with Community Development Block Grant Funds and Rental Rehab Program Income. Staff recommends approval of the contract with Wilkie Construction to construct Phase II of the planned improvements to Hickory Optimist Park.

- C. Approved on First Reading the Purchase of a Front Loader Unit from Carolina Environmental Systems, Inc. in the Amount of \$248,478.

The City uses front loader trucks for collection of refuse with our dumpster service. This unit is operated daily in the Commercial Division of the Solid Waste Division. This unit will replace a 2003 model. Bids were received from three different truck manufacturers, Mack, Peterbuilt, and Autocar. All trucks were quoted with the same Heil front loading body as we currently utilize this body on other existing trucks and have experienced good service and longevity out of them as well as keeping our equipment consistent related to repair parts and equipment operation. Funds for this replacement unit are budgeted in the Solid Waste – Commercial Division budget. The low bid is under the budgeted amount. Staff recommends purchasing the front loader unit from the NJPA Contract from Carolina Environmental Systems, Inc. in the amount of \$248,478.

- D. Approved on First Reading Budget Ordinance Amendment Number 15.

ORDINANCE NO. 16-03
BUDGET ORDINANCE AMENDMENT NO. 15

BE IT ORDAINED by the Governing Board of the City of Hickory, that pursuant to Section 15 of Chapter 159 of the General Statutes of North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2016.

SECTION 1. To amend the General Fund the expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Debt Service	192,810	-
Culture & Recreation	175	-

Public Safety	-	17,579
TOTAL	192,985	17,579

To amend the General Fund revenues for the above, the revenues will be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Other Financing Sources	192,810	-
Miscellaneous Revenues	175	-
Restricted Intergovernmental Revenues	-	17,579
TOTAL	192,985	17,579

SECTION 2. Copies of the budget ordinance amendment shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

E. Approved on First Reading Grant Project Ordinance Amendment Number 5.

ORDINANCE NO. 16-04
GRANT PROJECT ORDINANCE AMENDMENT NO. 5

BE IT ORDAINED by the Governing Board of the City of Hickory that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, that the following amendment be made to the grant project ordinance for the duration of the project.

SECTION 1. To amend the Grant Project Fund expenditures are to be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Community Development	150,525	-
TOTAL	150,525	-

To provide the additional revenue for the above, the revenues will be changed as follows:

FUNCTIONAL AREA	INCREASE	DECREASE
Miscellaneous Revenues	150,525	-
TOTAL	150,525	-

SECTION 2. Copies of the gran project ordinance shall be furnished to the Clerk of the Governing Board, and to the City Manager (Budget Officer) and the Finance Officer for their direction.

IX. Items Removed from Consent Agenda – None

X. Informational Item

XI. New Business:

A. Public Hearings

1. Approved Amending the 2014 Community Development Block Grant Annual Action Plan to Increase the Budget for Public Infrastructure Improvements

In April of each year, Staff prepares an Annual Action Plan for its Community Development Block Grant (CDBG) allocation from the Federal government. This plan normally includes line items for public infrastructure improvements and single family housing rehabilitation. There is currently \$75,000 remaining in the Single Family Housing Rehabilitation line item. All public infrastructure funds are committed or will be spent in early 2016. The proposed amendment will adjust the City's 2014 CDBG Annual Action Plan by decreasing Housing Rehabilitation/Purchase Program in the amount of \$75,000 and increasing Public Infrastructure Improvements in the amount of \$75,000. The funding will allow the City to complete two to three additional street resurfacing projects in eligible neighborhoods. The reduction in housing rehabilitation funds will not have a negative impact on the City's housing rehabilitation programs. There is adequate funding to complete all current projects and any loan applications that the City is likely to receive prior to the end of the fiscal year. The funding is located in other CDBG project year budgets and the City's Owner/Rental rehabilitation fund. Staff recommends City Council's approval of the amendment to the 2014 Community Development Block Grant Annual Action Plan.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 19, 2015; January 8, 2016 and January 15, 2016.

City Manager Mick Berry asked the City's Community Development Manager Dave Leonetti to the podium to present Council with the 2014 Community Development Block Grant Action Plan and the amendment to the budget in the plan prior to the opening of the public hearing.

Community Development Manager Dave Leonetti presented Council with an amendment to the 2014 Annual Action Plan. Each year City Council approves a plan for how it is going to spend its Community Development Block Grant (CDBG) funding that it receives from the US Department of Housing and Urban Development. Currently in the 2014 plan there is \$75,000 remaining in the housing rehabilitation line item. In order to assist the City in meeting some of its spending deadlines and requirements the Citizens Advisory Committee voted at their December meeting to recommend that the City increase its street resurfacing budget by \$75,000 and reduce that excess funding in the housing rehabilitation line item. The proposed plan amendment would allow contractors to resurface two, possibly three additional streets in low to moderate income neighborhoods. Due to some program income that was received there is adequate funding remaining in other program year budgets to assist any current housing rehabilitation applicants and any that they are likely to receive by the end of this fiscal year. On July 1st the funding will be replenished with additional housing rehabilitation funding. The Citizens Advisory Committee and Staff recommended increasing the street resurfacing budget by \$75,000 and reducing the housing rehabilitation line item budget in the 2014 program year by \$75,000.

Mayor Wright asked if this was the Citizens Advisory Committee's.

Mr. Leonetti advised that the Citizens Advisory Committee recommended this. The reason that this is a public hearing was because anytime there is a line item changed by more than 25 percent a public hearing is required.

Mayor Wright commented that he didn't realize that street improvements came out of CDBG funds sometimes.

Mr. Leonetti advised that they had been doing some sidewalk construction, curb and gutter and they had also been doing street resurfacing for approximately three years now. It is a way to supplement General Fund dollars and make them go a little bit further.

Mayor Wright commented and we are taking care of all of the needs expressed by the citizens and residents.

Mr. Leonetti replied to his knowledge yes.

Mayor Wright confirmed in home repairs.

Mr. Leonetti advised in terms of home repairs there was still adequate funding for any request that they are likely to receive by the end of the year.

Mayor Wright explained the rules for conducting the public hearing. He declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. No one appeared. He asked if there was anyone present to speak in favor of the proposal.

Mr. Cliff Moone, 2925 8th Street Court NE advised that he was a member of the Citizens Advisory Committee. They looked at this very carefully as a group and voted unanimously that there would be enough funds to provide to the end of the fiscal year and they recommended it together. He thanked Council.

Mayor Wright asked if there was anyone else who wanted to speak in favor of the proposal. No one else appeared. Mayor Wright closed the public hearing.

Alderwoman Patton moved, seconded by Alderman Tarlton approval of Amending the 2014 Community Development Block Grant Annual Action Plan. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderwoman Patton seconded by Alderman Tarlton and the motion carried unanimously.

2. Approved on First Reading Closing the Southern Portion of the Alley beside Community One Bank for the Friends of Hickory Park.

Friends of Hickory has been raising funds for a park to go in the current City owned parking lot at the intersection of 3rd Street NW at Main Avenue NW. In order for the park to be safe and have the adequate space, the alley that exists beside

Community One Bank needs to close. In order to keep the outlet from the bank drive-thru operational, the alley will change from southbound traffic movement to northbound traffic movement on the north end. This will also require the removal of three parking spaces along the southbound side of 1st Avenue NW immediately west of the alley to allow for safe sight distance for exiting traffic. The City owns both sides of the portion of the alley to be closed, thus all property will revert to the City. Bollards will be installed at the new dead end of the alley in order to prevent vehicle traffic but will allow pedestrian traffic. Staff request Council's consideration in closing the southern portion of the alley beside Community One Bank for the Friends of Hickory Park.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on December 18, 2015; December 25, 2015, January 1, 2016 and January 8, 2016.

Mr. Berry asked the City's Public Services Director Chuck Hansen to the podium. He advised that Council had two subsequent items to take action on with regards to the presentation that Council heard earlier on the Friends of Hickory Park. For their consideration was closing a portion of the alley beside Community One Bank, the parking lot that was shown in the design, so the park could actually use that space.

Public Services Director Chuck Hansen presented Council a PowerPoint presentation. He advised Council that this was a public hearing for closing an alleyway. The City is the petitioner for the closing. This was a part of the partnership that the City had been working on with the Friends of Hickory. He pointed out the location of the alleyway pointing out Community One Bank, Union Square, the railroad, 3rd Street where the railroad underpass is located, the City owned parking lots, the alleyway between 1st Avenue NW and Main Avenue NW. Currently this alleyway is two way traffic to get in and out of the parking lot. He showed the section of it that serves as an exit for the bank's drive-up window, which was towards the railroad tracks or southbound. Part of the layout for the park project that was shown actually would like to grow into the alley. He advised that it was a 25 foot alleyway. He pointed out the property line for the City and advised that it was across the top of the parking lot. There is approximately 20 parking spaces currently. The larger parking lot was looked at for seal coating, and remarking. In doing that remarking and relaying that out, they probably could gain approximately 15 parking spaces in that area. Where they see losing, they probably can gain 15 spaces in there with some relay out. So that is not a total loss of all of the spaces, with a little bit of work that would have to be done to it to gain those back. They feel like that could be a positive comeback on most of that. Staff would have to work through all of that. He advised that the request was to close the portion of the alleyway which was highlighted. He showed the portion of the alleyway which would remain open and changed the flow. It would be north bound instead of southbound as it is today. That would allow for the drive-up window at the bank to continue to work. The exit would come out to 1st Avenue. They probably will lose one parking spot. He pointed out the location of that spot and advised that looking left you actually have to have that visibility area. They will look at the actual layout of that parking. Staff felt like the plan that was shown earlier actually included the area in it. He advised Council that it was not more property than they had previously saw. The layout that was shown incorporated what was proposed to be closed in Staff's request. Staff recommended approval for the reason of the Friends of Hickory Park.

Alderman Lail asked if they would place bollards at the end of the alley.

Mr. Hansen confirmed they would from a protection standpoint. He advised that they would mark the pavement and it would be signed for citizens in the drive through at the bank. It will be a dead end scenario. He pointed out a location that Staff may be able to work that up.

Alderman Lail didn't see a reason why a vehicle would need to come down there.

Mr. Hansen commented unless it was an emergency scenario. He advised Council of the property line and explained that when you close a right of way the property reverts half in each direction. The City owns both sides of the property adjacent to the alleyway.

Alderman Guess asked if they would still have access to the parking lot.

Mr. Hansen pointed out the parking lot access.

Alderman Guess confirmed that there would not be any access to the parking lot from the alleyway that was being closed off.

Mr. Hansen stated from the alleyway, no. The alleyway would be incorporated as part of the park.

Alderman Tarlton asked if the alleyway was not wide enough to have two way traffic.

Mr. Hansen confirmed that it was not.

Mayor Wright explained that the Friends of Hickory came to the City of Hickory and wanted to do a project that would be meaningful downtown for the children and for the image of the City. They chose a site which was adjacent to the city walk. They are funding the project almost exclusively. The City does have a little funding in it in the way of engineering and permitting.

Mr. Berry advised that it was primarily utility work.

Mayor Wright advised that upon completion the property would be conveyed to the City as part of the park system. It is a great location, it is downtown. Downtown is south of the central population distribution of every ethnic group in Hickory. It is a good location to serve the needs of all the people of Hickory.

Mayor Wright declared the public hearing open and asked if there was anyone present to speak in opposition to the proposal. Mayor Wright asked if there was anyone present to speak in favor of the proposal. No one appeared. Mayor Wright closed the public hearing.

Alderman Patton moved, seconded by Alderman Guess approval of closing the southern portion of the alley beside Community One Bank. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Patton seconded by Alderman Guess and the motion carried unanimously.

RESOLUTION NO. 16-01
RESOLUTION AND ORDER

WHEREAS, the City of Hickory owns property adjoining the following-described area, in the City of Hickory, County of Catawba, which is further described as follows:

25-Foot Alley Located Between Main Avenue NW and 1st Avenue NW

All of that certain parcel or tract of land lying and being about 0.1 miles west northwest of the center of the City of Hickory. Bounded on the west by City of Hickory property described in Deed Book 988 at Page 481 and Deed Book 980 at Page 171; on the north by the remaining portion of the existing 25 foot alley called for in Deed Book 988 at Page 481 and Deed Book 980 at Page 171; on the east by a City of Hickory 20' pedestrian walkway as described in Deed Book 1051 at Page 696 and City of Hickory property described in Deed Book 1189 at Page 90; and on the south by the existing right-of-way of Main Avenue NW and more particularly described as follows to wit;

Beginning at a PK nail set in a lead plug in the concrete sidewalk along the northern right-of-way of Main Avenue NW, said PK nail having N.C. grid coordinates of N 729,625.41 E 1,304,786.46 (NAD 83/2007), being located a grid bearing and distance of North 87degrees 27 minutes 37 seconds West 1442.08' from NCGS Monument Municipal, N.C. grid coordinates of N 729,561.51 E 1,306,227.12 (NAD 83/2007) and running thence as the north right-of-way line of Main Avenue NW, North 87 degrees 11 minutes 04 seconds West 25.00 feet to an existing 80 penny nail in said right-of-way; thence as the west line of that 25 foot alley called for in Deed Book 988 at Page 481 and in Deed Book 980 at Page 171, North 02 degrees 22 minutes 20 seconds East 102.75 feet to a point in the west line of said alley; thence South 87 degrees 10 minutes 04" East 25.00 feet to a point in the east line of that 25 foot alley called for in Deed Book 988 at Page 481 and in Deed Book 980 at Page 171; thence, as the east line of said alley, South 02 degrees 22 minutes 20" seconds West 102.74 feet, passing a PK nail set in a lead plug in the sidewalk at 20.11 feet, to the point of beginning containing 2569 sq. ft. more or less.

Staff filed a petition with the City Council of the City of Hickory requesting that said area be closed and abandoned as a roadway; and

WHEREAS, following the filing of said petition with the City Council, a notice of public hearing upon the question of closing and abandoning said area for public roadway purposes was advertised in *The Hickory Daily Record* in the issues of December 18, 2015, December 25, 2015, January 1, 2016 and January 8, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HICKORY, NORTH CAROLINA:

THAT, the above-described area be and the same is hereby ordered to be closed and abandoned for roadway or street purposes, in accordance with the provisions of Chapter 160A, Section 299, of the General Statutes of North Carolina, and the Charter of the City of Hickory;

BE IT FURTHER RESOLVED, that the City of Hickory reserves the right, title and interest in any utility improvement or easement within the above-described street or roadway to be closed, pursuant to the provisions of 160A, Section 299, of the General Statutes of North Carolina; and

RESOLVED, FURTHER, that all rights, title and interest of the City of Hickory in and to the area covered by said street shall vest in the respective owners of the land adjoining said area, all in accordance with the provision of the abovementioned section of the General Statutes of North Carolina.

B. Departmental Reports:

1. Approved on First Reading a Grant/Construction Easement Agreement for the Friends of Hickory Downtown Park Project.

Friends of Hickory is a local nonprofit organization dedicated to improving the City of Hickory through certain project, including projects related to the recreational offerings of the City. Approximately a year and a half ago, Friends of Hickory approached the City with a proposal to enhance and improve the City's parks and recreation facilities by developing and constructing a new park in downtown Hickory through a public/private partnership with the City. The site for the proposed park is located along Main Avenue NW and currently is being utilized by the City for parking. The agreement formalizes the public/private partnership between the Friends of Hickory and the City by outlining the roles and responsibilities of the parties in writing. Friends of Hickory, the project developer, will fund the entire project. Friends of Hickory will maintain appropriate liability insurance and have payment and performance bonds in place to guarantee completion of project. The City will participate in the project by relocating certain infrastructure on the site and by closing a portion of a street abutting the project. When the project is completed and has received final inspections and approval, the equipment and other features located on the site will become the City's property. In addition, the agreement will give the Friends of Hickory naming rights opportunities for the project. Staff recommends Council enter into the Grant/Construction Easement Agreement with Friends of Hickory to construct a new park in downtown Hickory.

City Manager Mick Berry asked Assistant City Manager Andrea Surratt to the podium to present Council with a Grant/Construction Easement Agreement with the Friends of Hickory which allowed the Friends of Hickory to come onto the City property and construct a park.

Assistant City Manager Andrea Surratt presented Council with a full set of drawings of the Friends of Hickory Park. She presented a PowerPoint presentation. She advised that the City had been partnering with the Friends of Hickory for the past two years. She referred to it as the three legged stool. The proposal, the concepts, and the fundraising by Friends of Hickory. We have the street closure issue and this was the third leg of the stool which was the Grant Construction Agreement. The City had become partnerships with the Lackey family, and this is another project in a similar vein, a little smaller scale. In the process of working in partnership with private groups the City needed to develop a grant agreement that has terms and conditions of how things are carried out. In this case the City of Hickory owns the parking lot south of the Community One Bank. That site was selected as the best site for the park, and because of the City's ownership of that parking lot the City then is able to give a temporary easement to the Friends of Hickory and to their contractors to work on that property and improve it. That land is retained in ownership by the City and those improvements are accepted and maintained by the City over time. She advised that was outlined in the agreement. She referenced that information was on page 85 in the agenda package. She discussed working through the site plan. The park has a number of pieces of equipment, and a number of different play spaces and public areas, so all of that would need to have a site plan just like any other

development project. It has a set of grading and utility plans, which were all included and prepared by Land Design and then enhanced by Looper Construction, which is the contractor being used for the contract. There was a landscaping plan in the set of drawings and splash park details. This project will go through the permitting process just like every other development project where you have preconstruction meeting with the City's Planning and Development Staff and the project management group. They will have a pre-application meeting and a preconstruction meeting where they iron out all the details. The City of Hickory will be doing the utility work prior to the start of the project. The City does not want to go back in and disturb the nice fully finished park space with any utility issues. Things are being worked through and done ahead of their construction schedule. She showed the site grading plan, utility plan, landscaping plan, and the splash pad details.

Mrs. Surratt discussed the grant agreement details. The agreement outlined how the project would be carried out on City property. The terms of that included that it is City property and it stays City property. It gives approval for them to work on it but the improvements come back as the City's on the property itself. That is done through a temporary easement. She advised that Friends of Hickory had signed their portion of the grant agreement document and had it notarized. The next step was for Council to consider approval of it as well. The developer is responsible for all of the improvements to the property which were outlined in the document. They agree to have that work completed at the end of December 2016. There is no guarantee that date is totally firm. They have every intention of completing well before that. Should there be a question then that date is targeted to be able to come back to the Friends of Hickory group and iron out any length of time necessary to go beyond that date, but at least we have a date firm in the agreement. Everything is following City Code and the North Carolina Building Code. The City will have ultimate oversight over the project. It is not as if the City turns it over and hopes for the best, and we don't have any control. Ultimately it is the City's property and it will be a City's facility. We have some oversight and it is outlined in the agreement. The City will relocate the utilities. In order to do this project the alley needed to be closed. Naming of the features was reviewed by Allison Holtzman earlier, and those items would have to go back through City Council's naming policy if those apply to the policy. There would be a one year warranty for the contractor, which was standard language. There was the manufacturer's warranty for the equipment itself, which will be transferred to the City. Performance and payment bonds were also a part of the grant agreement as well. General liability insurance had been attained by Friends of Hickory. Fire and casualty property insurance from the contractor, indemnification clauses are also in the grant agreements which followed all the laws of the State of North Carolina. She advised that it was a standard contract, it was something that the City felt comfortable with and would take them through the next year of this construction project. Having that work be done, inspected and then dedicated back to the City of Hickory in terms of the City maintaining the equipment itself. The property will remain the City's. Ms. Surratt addressed the bathroom issue. By building code, our park spaces do not require a bathroom, although a facility nearly is appreciated. There is the bathroom on Union Square. It is an older facility. It was understood that it would be a part of the city walk improvements. They will need to take a look at that location, potentially additional bathrooms along the city walk. Between the time this project takes to go through construction, and design, there should be a new plan for a bathroom space. Whether that is in the same location or in an additional location. But there are spaces there on Union Square.

Mayor Wright commented that they would have to look at the hours that the bathrooms are available.

Mrs. Surratt advised that would be a decision by the City. Right now it is tied to special events. When Union Square is occupied with a special event then the bathrooms are open. The bathrooms are cleaned after each special event before the next special event. Whether that is the Farmers Market, Sails on the Square Music, or any number of uses. Those bathrooms are opened and cleaned and closed, and then opened again.

Alderman Guess moved, seconded by Alderman Seaver approval of the Grant/Construction Easement Agreement with Friends of Hickory for the Downtown Park Project. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Guess seconded by Alderman Seaver and the motion carried unanimously.

2. Hickory Public Housing Authority

Mayor Wright commented that it was easy to see that with most issues there was two sides to every story. He commented that there never had been or never would be any attempt to force relocation, to impose higher rents and higher cost on the residents of the Housing Authority properties. The word misappropriating came up a time or two and he always thinks that misappropriating means theft and he had not heard anything that referred to any theft. Somebody else may have heard something different, but he hadn't heard anything. He commented that he certainly didn't cover everything that was said, but he covered in general the principals of what was said on both sides. He advised that Council passed a motion for Staff to prepare a Resolution for merger of the assets of the Housing Authority, with a qualified entity. A lot of terms had been thrown around like Housing Authorities and Redevelopment Commissions. He asked Council for their input and questions. Some of them had been more involved with this than others.

Alderman Guess commented that Council keeps hearing the word abolish. For lack of a better term kicking people out of their houses and their apartments. He reiterated what the Mayor had said, that has never been a part of Council's plan and it never would be a part of their plan. The abolish word was in the State terminology. There is no intention to abolish or kick anyone out.

Alderman Lail requested an update of where Council stood with the matter of the Resolution that had been discussed. He wanted to know what had been learned in the time since the last meeting. He felt that would help provide some context for discussion.

Mayor Wright explained what he had learned. If the COG is the entity selected, as a Housing Authority. Council could have a voluntary merger and transfer the assets to them, certainly anything would be subject to the approval of HUD. Mayor Wright questioned if he had misstated anything.

City Attorney John Crone advised no.

Mayor Wright advised that the assets could be transferred with the approval of HUD and approval by the Board of the Housing Authority and by City Council. It could happen in short order. But, it had been described as an involuntary transfer. He did not know how this would even work. An involuntary transfer can only be made to a certified Redevelopment Commission.

Mr. Crone clarified an existing Redevelopment Commission. He explained things that had been discussed since the last meeting and what they had learned. In order for the City to do away with the current Housing Authority and contemporaneous therewith at the same time transfer it to another entity, that other entity must be an existing Redevelopment Commission. He thought that the motion was for Staff to proceed with a Resolution to take all efforts necessary to transfer to an existing Redevelopment Commission or an entity that is entitled to take over that job. If we do not find or there is not an existing Redevelopment Commission for the City to transfer it to, then it can be voluntarily transferred by the present Housing Authority Board to a Regional Housing Authority such as the COG. The COG is not at the present time, as he understands it, an existing Redevelopment Commission. It is a Regional Housing Authority. If Council wanted to have COG take it over it would require consent of the Board as it presently exist of the Hickory Public Housing Authority.

Mayor Wright commented it requires approval of the Board as it then exist.

Mr. Crone advised as it exist at that time.

Mayor Wright asked if they knew how hard it would be to make the COG an existing Redevelopment Commission.

Mr. Crone commented that there had been some "what if" conversations with them, but not in-depth. A Redevelopment Commission is a creature of Statute. He didn't think they could establish themselves as a Redevelopment Commission. He thought that the City would have to take part in or be the facilitator of an entity being set up as a Redevelopment Commission. He asked Deputy City Attorney Arnita Dula if she concurred.

Deputy City Attorney Dula responded correct.

Mayor Wright commented then you get into other stuff like who owns the vouchers in the properties. How are those transferred? Is there any upset bid process? Whose approvals are necessary?

Mr. Crone commented that he was not sure about an upset bid process, but the Statute is very clear that the assets and liabilities are passed on to the entity that would be a Redevelopment Commission. It would just pass to them, assets, liabilities, and there is a timeframe in the Statute as to how to effectuate that. It is real clear in the Statute as to what is to be done, but it is unclear as to how you do it. He thought that would take, over a period of time, transfer of title to personal property, vehicles, computers, etc., by bill of sale, and transfer of real estate holdings, and a takeover of the day to day operations and employment of staff, etc. If there is not a voluntary transfer of the housing commission. If it has to be done involuntary then the Statute uses the word abolish, but he said that the only other method for that to occur is for the City to do away with the present Housing Authority and takeover the assets, liabilities, and run that program unless or until they found an entity that is qualified to have it transferred. One possibility, and the Legal team had not gone into great detail about this, was whether the COG or an entity like COG as a Regional Housing Authority, could operate the entity that went in the hands of the City if the City wanted to take ownership and responsibility. He urged the City not to be involved in taking over the assets and liabilities of the Housing Authority without knowing exactly what they are. If further discussion is had between all of the interested parties, and if that results in a voluntary transfer, then certainly a component of that would be the parties discussing what the assets and liabilities are. How they can be transferred. How there can be a seamless transfer of ownership and responsibilities and at the same time educate the residents over there. Whatever is happening, they are not going to be kicked out of their house. He wished that everybody comes out of any negotiation as a win/win for all interested parties, in particular the residents of the City of Hickory. He thought that was what Council had said all along. The thought that needed to be clear to the public, and clear to City Council as to what the options are. He explained in order for there to be an involuntary transfer it would have to be an existing Redevelopment Commission. As he understood it COG is not an existing Redevelopment Commission it is a Regional Housing Authority.

Alderman Tarlton asked if City Council could get an inventory of the assets and liabilities.

Mr. Crone advised that they could ask them for that. He felt like that they would give it to them. It is a matter of public record. He advised that they had been very cordial working with him and their Lawyers had been very professional in exchanging ideas and information. He didn't think that was a problem at all.

Alderman Lail commented that their financial statement, as of September 30, 2015 was on the website.

Mayor Wright wanted to clarify something. This was an observation to him. He clarified that having looked at it, it was a compiled report, which is very valid. It was done by the Accountants who keep their books month to month. The compilation report disavows any knowledge of an audit. Disavows full disclosures, and says that the accounts, because they are keeping the books, they are not independent. None of that matters because they do have an independent auditor who usually issues the report in February. If you look at that report on their website, and read the auditor's report the compilation report, don't let that alarm you.

Alderman Guess asked where to they go from here.

Mayor Wright asked if Council wanted to rescind the motion from the prior meeting.

Alderwoman Patton commented no.

Mayor Wright said they could either rescind it or keep it. If they keep it they have to get answers to a lot of these questions.

Alderwoman Patton felt that Council needed to move down the path to get these answers so they could make the best decision.

Alderman Seaver felt that Council should do whatever it takes to make sure that the residents are treated fairly, respectfully and do not have any fear of things changing that drastically in their way of life.

Alderman Tarlton interjected and that their properties are being managed in a professional manner. That is why he wanted to see an audited financial.

Mr. Crone commented that he didn't know if last meetings motion and vote addressed this issue or not, they had talked about a Resolution. He asked Council to add to what was discussed at the previous meeting which was a motion to

approve an addition to what was resolved at the last meeting to allow an opportunity for discussions to continue and explore the possibility of a voluntary transfer of the assets to, not to an existing Redevelopment Commission, but to a Regional Housing Authority or entity that is capable under HUD guidelines of accepting a voluntary transfer.

Mayor Wright responded that he would certainly add that to the motion, but he personally thought that it was implied that was the preferred route from the start.

Mr. Crone advised that is what he thought, but he did not know what the minutes said. He requested that Council say that again, so when they do come back with a Resolution it has that language in there.

Alderman Seaver commented that Council could rescind it for now and come up with something more viable after more information was presented.

Mayor Wright advised that he personally would rather not rescind it.

Alderman Patton agreed. She felt that they need to go ahead and make a motion to allow them to explore that voluntary merger so that they could go down the path to find the financial information, the list of assets and everything that they would need, so at the end of that period make a good decision. They would have all of the facts to them and this would allow the attorneys to explore all of that and gather all of that information for them.

Alderman Lail advised that he was looking at the approved minutes from the last meeting. He didn't feel that the motion that was made, and where Council was now was inconsistent with any of that. He advised that the motion was made to move towards a merger, or pursue towards a merger with another qualified appropriate entity and work with them and the Board of Directors of the Hickory Housing Authority and see what can happen. He thought that was what Mr. Crone was asking, if they could have those meeting.

Alderman Patton moved, seconded by Mayor Wright, to have those meetings. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Patton, seconded by Mayor Wright and the motion carried unanimously.

3. Appointments to Boards and Commissions

BOND IMPLEMENTATION COMMISSION

Members appointed on 2/3/2015 to one year terms, per Ordinance 15-01, are eligible to be reappointed to one additional 3 year term (Terms Expiring 2/1/2019)

Ward 2 (Alderman Tarlton Appoints)	Gayle Schwarz Resigned (3 year term expires 2/2/2018)
Ward 2 (Alderman Tarlton Appoints)	Jennifer Clark expires 2/2/2016

Alderman Tarlton nominated Kay Schmucker to the Bond Implementation Commission to fulfill the unexpired term of Gayle Schwarz.

Alderman Tarlton reappointed Jennifer Clark to the Bond Implementation Commission.

Ward 3 (Alderman Seaver Appoints)	Anthony Laxton expires 2/2/2016
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Alderman Seaver reappointed Anthony Laxton to the Bond Implementation Commission.

Ex Officio Representatives:

Per Ordinance 15-01 representatives appointed by the boards, commissions, and the Chamber shall serve for a term of one year and may be reappointed for up to two additional one year terms with the exception of the Youth Council representative. (Terms Expiring 2/1/2017)

Business Development Committee	Dana Chambers
Hickory International Council	Pending
Hickory Regional Planning Commission	Shauna O'Brien
Library Advisory Board	Pending
Recycling Advisory Board	Pending
University City Commission	Pending

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Other Minority VACANT
Other Minority VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)
(Appointed by City Council)
Burke County (Mayor to Nominate) VACANT Since 8-6-2008
Brookford (Mayor to Nominate) VACANT Since 6-2006

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)
(8) Positions VACANT

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large Minority VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 VACANT

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Hickory Career Arts Magnet VACANT

Alderman Zagaroli moved seconded by Alderman Seaver approval of the above nominations. The motion carried unanimously.

Mayor Wright announced that the motion was made by Alderman Zagaroli seconded by Alderman Seaver and the motion carried unanimously.

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Alderman Seaver advised that Hickory High and Hibriten were playing for first place basketball at Hickory High, they were probably at second half. He commented that they have burgers and hotdogs well-crafted over there.

Mayor Wright commented that they both were 14 and 1.

XIV. There being no further business, the meeting adjourned at 9:07 p.m.

Mayor

City Clerk